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July 8, 2004

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Confirmation No. 6379  
Group Art Unit: 1638

Re: U.S. Patent Application Serial No. 10/606,772 filed June 27, 2003  
Inventors: Joanne J. FILLATTI  
Title: Nucleic Acid Sequences and Methods of Use for the Production  
of Plants with Modified Polyunsaturated Fatty Acids  
Atty. Docket: 16518.070

Sir:

Transmitted herewith for appropriate action by the U.S. Patent and Trademark Office (PTO) are the following documents:

1. Information Disclosure Statement;
2. Form PTO/SB/08a (with one attached document);
3. Copy of International Search Report, dated April 9, 2004, which issued in corresponding International Application No. PCT/US03/19445; and
4. Return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier.

In the event that extensions of time beyond those petitioned for herewith are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned. Applicants do not believe any additional fees are due in conjunction with this filing. However, if any fees are required in the present application, including any fees for extensions of time, then the Commissioner is hereby authorized to charge such fees to Arnold & Porter LLP Deposit Account No. 50-2387, referencing docket number 16518.070. A duplicate copy of this letter is enclosed.

Sincerely,

David R. Marsh (Reg. Atty. No. 41,408)  
Lisa A. Adelson\* (Reg. Agent No. 51,204)

*\*Not admitted to the practice of law. Admitted to practice before the U.S. Patent and Trademark Office only.*

Enclosures



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Joanne J. FILLATTI

Appln. No.: 10/606,772

Filed: June 27, 2003

Conf. No. 6379

Group Art Unit: 1638

Examiner: Not Yet Assigned

Atty. Docket: 16518.070

For: Nucleic Acid Sequences and Methods of Use for the Production of Plants with Modified Polyunsaturated Fatty Acids

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

The attention of the Examiner is invited to the document listed on the attached Form PTO/SB/08a. A copy of the listed document is submitted herewith.

It is respectfully requested that the information above be expressly considered during the prosecution of this application, and that the reference be made of record therein and appear among the "References Cited" on any patent to issue therefrom. However, Applicants make no representation or admission that the cited references constitute "prior art" to the claims of the present application.

**CERTIFICATION AND/OR FEE**

This Information Disclosure Statement is being submitted prior to issuance of the first action on the merits of the above-captioned application. In addition, the document submitted herewith was first cited in a search report in a corresponding international application (copy of International Search Report enclosed). This Information Disclosure Statement is being submitted within 3 months from the mailing date of the International Search Report. Therefore, it is believed that no fee is required. However, if it is deemed that fees are required for filing this Information Disclosure Statement, authorization to charge counsel's deposit account is given in the accompanying transmittal letter.

Respectfully submitted,

David R. Marsh (Reg. Atty. No. 41,408)

Lisa A. Adelson (Reg. Agent No. 51,204)

Thomas E. Holsten (Reg. Atty. No. 46,098)

Filed: July 8, 2004

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Substitute for form 1449A/PTO



# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

**Complete if Known**

|                        |                    |
|------------------------|--------------------|
| Application Number     | 10/606,772         |
| Filing Date            | June 27, 2003      |
| First Named Inventor   | Joanne J. FILLATTI |
| Art Unit               | 1638               |
| Examiner Name          | To Be Assigned     |
| Attorney Docket Number | 16518.070          |

Sheet 1 of 1

**U.S. PATENT DOCUMENTS**

| Examiner<br>Initials* | Cite<br>No. <sup>1</sup> | Document Number                          | Publication Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Lines, Where<br>Relevant Passages or Relevant<br>Figures Appear |
|-----------------------|--------------------------|--|--------------------------------|--|---|
|                       |                          | Number-Kind Code <sup>2</sup> (if known) |                                |  |   |
|                       | A4                       | US-                                      |                                |  |   |
|                       | B4                       | US-                                      |                                |  |   |
|                       | C4                       | US-                                      |                                |  |   |
|                       | D4                       | US-                                      |                                |  |   |
|                       | E4                       | US-                                      |                                |  |   |
|                       | F4                       | US-                                      |                                |  |   |

**FOREIGN PATENT DOCUMENTS**

| Examiner<br>Initials* | Cite<br>No. <sup>1</sup> | Foreign Patent Document  | Publication Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Lines,<br>Where Relevant Passages<br>or Relevant Figures Appear | T <sup>6</sup> |
|-----------------------|--------------------------|--|--------------------------------|--|---|----------------|
|                       |                          | Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup><br>(if known) |                                |  |   |                |
|                       | G4                       | WO 01/14538 A2   | 03-01-2001                     | Calgene LLC  |   |                |
|                       | H4                       |  |                                |  |   |                |
|                       | I4                       |  |                                |  |   |                |
|                       | J4                       |  |                                |  |   |                |
|                       | K4                       |  |                                |  |   |                |
|                       | L4                       |  |                                |  |   |                |
|                       | M4                       |  |                                |  |   |                |
|                       | N4                       |  |                                |  |   |                |

Examiner  
SignatureDate  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.